**Technical Amendment to Student Discipline Regulations, 603 CMR 53.05 – September 2023**

***Current Text***

**53.05: Alternatives to Suspension under M.G.L. c. 71, § 37H¾**

In every case of student misconduct for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports.

***Proposed Changes Presented to the BESE, June 2023 and for Public Comment***

In every case of student misconduct for which suspension may be imposed, a principal*,* headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing shall first ~~exercise discretion in deciding the consequence for the offense;~~ consider ways to re-engage the student in learning; and shall not use~~avoid using long-term~~ suspension from school as a consequence until alternative~~s~~ remedies have been tried, except as follows: (1) where said decision-maker documents specific reasons why alternative remedies are unsuitable or counterproductive; or (2) where the student’s continued presence in school would pose a specific, documented concern about the infliction of serious bodily injury or other serious harm to another person while in school. Alternative~~s~~ remedies may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving*~~,~~* ~~and positive interventions and supports~~.

***Final Proposed Changes Following Public Comment (new language is in highlighted italics)***

In every case of student misconduct for which suspension may be imposed, a principal*,* headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing shall first ~~exercise discretion in deciding the consequence for the offense;~~ consider ways to re-engage the student in learning~~;~~ and shall not use~~avoid using long-term~~ suspension from school as a consequence until alternative~~s~~ remedies have been tried *and documented,* except as follows: (1) where said decision-maker documents specific reasons why alternative remedies are unsuitable or counterproductive; or (2) where the student’s continued presence in school would pose a specific, document~~ed~~*able* concern about the infliction of serious bodily injury or other serious harm to another person while in school. Alternative~~s~~ remedies may include*, but are not limited to,* the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving*~~,~~* ~~and positive interventions and supports~~.

***Regulation with Final Proposed Changes (clean copy)***

**53.05: Alternatives to Suspension under M.G.L. c. 71, § 37H¾**

In every case of student misconduct for which suspension may be imposed, a principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing shall first consider ways to re-engage the student in learning and shall not usesuspension from school as a consequence until alternative remedies have been tried and documented, except as follows: (1) where said decision-maker documents specific reasons why alternative remedies are unsuitable or counterproductive; or (2) where the student’s continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm to another person while in school. Alternative remedies may include, but are not limited to, the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving.